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Administration

## **Proposed recreational trail environmental review rules will be topic of January public hearing**

For Immediate Release  
December 1, 2004

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Environmental Quality Board  
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(ST. PAUL) – The Minnesota Environmental Quality Board (EQB) will hold a public hearing in mid-January on proposed rules establishing mandatory Environmental Assessment Worksheet (EAW) and exemption thresholds for certain types of recreational trails.

The hearing is scheduled for:

- Tuesday, Jan. 11, 2005, 2-5 p.m. and 7-10 p.m., at the Northern Inn, Highway 2 West, Bemidji;
- Wednesday, Jan. 12, 2005, 2-5 p.m. and 7-10 p.m., at the Hermantown Public Safety Training Facility, 5111 Maple Grove Road, Hermantown;
- Wednesday, Jan. 19, 2005, 2-5 p.m. and 7-10 p.m., at the Fort Snelling History Center Auditorium, Fort Snelling, at the junction of state highways 5 and 55.

Additional days will be added if necessary.

This proposed rulemaking would add mandatory EAW and exemption categories for various types of recreational trails to the existing Environmental Review rules adopted by EQB. Under state legislation approved in 2003, the EQB is required to adopt rules providing for threshold levels for environmental review for recreational trails.

There are no mandatory EAW, mandatory Environmental Impact Statement (EIS) or exemption categories that apply directly to recreational trails. Currently, an EAW may be prepared for a recreational trail at the discretion of a unit of government. Citizens may also request preparation of an EAW by filing a petition in accordance with EQB rules. If the EQB adopts the proposed rules, review through the EAW process will become automatic for some trail projects, while

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discretionary review, including review initiated by citizen petition, will no longer be possible for those projects fitting the proposed exemption categories.

A copy of the proposed rules and the official notice of hearing, including details of the hearing procedures, are published in the Nov. 22, 2004 *State Register* and are available on the EQB web site, [www.eqb.state.mn.us](http://www.eqb.state.mn.us).

A *Statement of Need and Reasonableness* is also available for review at the EQB office and web site and at the Office of Administrative Hearings. This statement includes a summary of the justification for the proposed rules, a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules.

The hearing will be conducted by Administrative Law Judge Steve M. Mihalchick, Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, 55401-2138, telephone 612-349-2544, fax 612-349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000-1400.2240. Questions concerning the rule hearing procedure should be directed to the Judge Mihalchick.

Anyone may present views either orally at the hearing or in writing at any time before the close of the hearing record. Written material may also be submitted to the administrative law judge, which will be recorded in the hearing record for five working days after the public hearing ends. The administrative law judge can order an extension of this comment period for up to 20 calendar days.

Questions and requests for a copy of the proposed rules or other documents should be directed to: Gregg Downing, Environmental Quality Board, 300 Centennial Building, 658 Cedar Street, St. Paul, MN 55155; telephone 651/205-4660; fax 651/296-3698; or e-mail [gregg.downing@state.mn.us](mailto:gregg.downing@state.mn.us). TTY users may call the EQB at 800/627-3529.

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